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## Central Valley Regional Water Quality Control Board

7 January 2021

Jeannie Wiley  
California Department of Transportation  
2015 E. Shields Avenue  
Fresno, CA 93726

**NOTICE OF APPLICABILITY FOR COVERAGE UNDER ORDER NO. 2004-0004-DWQ, STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR DREDGED OR FILL DISCHARGES TO WATERS DEEMED BY THE U.S. ARMY CORPS OF ENGINEERS TO BE OUTSIDE OF FEDERAL JURISDICTION, COTTONWOOD CREEK BRIDGE REPLACEMENT PROJECT (WDID#5B20CR00115), MADERA COUNTY**

On 10 November 2020, the California Department of Transportation (Applicant) submitted a Notice of Intent (NOI) to enroll under and comply with State Water Resources Control Board (State Water Board) Order No. 2004-0004-DWQ, Statewide General Waste Discharge Requirements for Dredged or Fill Discharges to Waters Deemed by the United States Army Corps of Engineers to be Outside of Federal Jurisdiction.

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the enrollment materials and finds the Cottonwood Creek Bridge Replacement (Project) meets the requirements of, and is hereby enrolled under, Order No. 2004-0004-DWQ. The Applicant may proceed with the Project in accordance with the Order.

A copy of [Order 2004-0004-DWQ](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf) ([https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2004/wqo/wqo2004-0004.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf)) can be found on the State Water Resources Control Board's Adopted Orders webpage.

Please familiarize yourself with the requirements of Order No. 2004-0004-DWQ. The Applicant is responsible for complying with all applicable Order requirements. Failure to comply with Order No. 2004-0004-DWQ constitutes a violation of the California Water Code and may result in enforcement action or termination of enrollment under the Order.

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KARL E. LONGLEY ScD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

1685 E Street, Fresno, CA 93706 | [www.waterboards.ca.gov/centralvalley](http://www.waterboards.ca.gov/centralvalley)

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**PROJECT DESCRIPTION:**

The 0.107-acre Project consists of replacing the two State Route 99 mainline bridges (northbound and southbound) over Cottonwood Creek with one bridge with a decked median. In addition, the Project would replace the northbound off-ramp bridge to Avenue 12 / Road 29, which crosses over Cottonwood Creek.

Project elements that affect aquatic resources include installation of new piles to support the new bridge and additional rock slope protection around the new bridge structure. The Project will temporarily impact 0.08 acre and permanently impact 0.027 acre of stream channel. Temporarily impacted areas will be restored to pre-Project condition.

**PROJECT LOCATION:**

The Project is located at State Route 99 and Avenue 12. The approximate center of the Project area is located at latitude 36.922139 degrees North and longitude -120.019917 degrees West.

**APPLICATION FEE RECEIVED:**

A fee of \$1,949.00 was received on 9 November 2020.

The fee amount was determined as required by California Code of Regulations, title 23, sections 3833(b)(3) and 2200(a)(3), and was calculated as category E - Low Impact Discharges (fee code 87) with the dredge and fill fee calculator.

**MITIGATION AND MINIMIZATION MEASURES:**

The Permittee is required to provide compensatory mitigation for the authorized impact to 0.027 acre of stream channel by purchasing 0.03 Aquatic Resource Credits in the San Joaquin River Aquatic Resource Watershed Service Area. Required credits shall be purchased from the National Fish and Wildlife Foundation (NFWF)'s Sacramento District California In-Lieu Fee Program.

**TERMINATION OF COVERAGE:**

Upon completion of the Project, the Applicant shall submit a complete Notice of Termination (NOT) requesting to be un-enrolled under Order No. 2004-0004-DWQ. Attachment 2 to the Order contains the NOT form. Please email the NOT to [centralvalleyfresno@waterboards.ca.gov](mailto:centralvalleyfresno@waterboards.ca.gov) with a carbon copy to Brandon Salazar at the email address provided below.

If you have questions concerning this matter, please contact Brandon Salazar by phone at (559) 445-6278 or by email at [Brandon.Salazar@waterboards.ca.gov](mailto:Brandon.Salazar@waterboards.ca.gov).

*Original Signed by Clay L. Rodgers for:*

Patrick Pulupa  
Executive Officer

Enclosure: Water Quality Order 2004-0004 (Discharger Only)

cc: see next page

cc: (electronic copy only)

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